RODERICK O. MATHESON, EDITOR

TUESDAY MORNING FEBRUARY 8, 1916.

THE ADVERTISER'S SEMI-WEEKLY

A Ghastly Joke

German suggestion to Washington over the Lusitama which have prevented the appointment of local controversy, it must strike the average man as amazing that one government should offer as an extenuat- in an editorial, hopes for the sake of the coming excuse to another that it did not kill the citizens munity that the get-together meeting recently of the aggrieved power "intentionally." Such an expeld by Bourbon party leaders may have good cuse, seriously advanced, will probably strike the accressits. erage American as a ghastly joke.

Of course, none expects the German government to announce that its agents did kill Americans inten-tionally. Such an admission would be a practical act of hostility and would have to be met as a declaration of war. Why, then, should Count von Bern- paign. The editorial, in part, is as follows: storff now solemnly notify Secretary Lansing that the the latest German phrase of substitution amounts to.

The Lusitania was destroyed some ten months ago. She sailed from the port of New York with many American passengers, and the presence of these pas-sengers aboard the liner was officially acknowledged by the German government through the publication in the New York papers of a warning to Americans not to travel on British passenger ships, signed by the German embassy. The German government, at the time of the sailing of the Lusitania, was in receipt of a formal communication from the government of the United States that the international right granted to neutrals to travel in safety on passenger ships was claimed for its citizens by the American government, with the warning that any power abridging this in-ternationally-guaranteed right would be held to "strict accountability

And the Lusitania, in the face of this, was deliberately attacked without the passengers being given a chance for their lives, and a thousand dead included a hundred Americans.

Now, after parleying for months, Germany announces that her limit of concession is to officially admit that these hundred Americans were not "in-

The blockade of the German ports by the Brit-ish may or may not be "illegal," but granting that it is the legal principle applies that one wrong does not excuse another, especially when an innocent party

prospects for a settlement are bright," it cannot pos- principles for the benefit of the public. got fairly well used to being jibed at and ridiculed to learn the shallowness of Secretary Daniels' because of the white feather diplomacy of the administration, but there are certain childish explanamainland press has also plumbed the depth of his Mrs. Robert Smith of Kukuihaele tions that overreach the limit, and this latest from Berlin appears to be one of them.

One Boss Is Enough

CITY ENGINEER COLLINS spoke for the responsible public of Honolulu when he de manded the right to run his own department so long as he should be the responsible head of it. Only by being possessed of and exercising such powers will Mr. Collins or anyone else succeed in the city's public works administration.

It is perfectly well known to everyone who has any acquaintance with the matter, that the failure ascribed to former City Engineer Whitehouse is due solely to the fact that he did not insist upon being boss in his own department. Other engineers and road supervisors have failed similarly. J. W. Caldwell, who made a conspicuous success as road supervisor, on the contrary, insisted upon and was given a free hand, the supervisors requiring from him only results, which ne daly delivered

It seems more than passing strange that the average common sense men employed in their priv ate businesses cannot be employed when it comes to public works. Common sense tells us that a man must not be hampered by conflicting authority if he is to do well in anything, but the few cases where such is applied in the local municipal government are the shining exceptions to the rule. Good luck to Engineer Collins. May he make his demand stick.

thousands who applauded the preparedness speeches goes where sensible men are in the majority, the of the President to die down, probably. Then his recalcitrants will come to with a great start and little song about "I Didn't Raise My Boy to Be a Soldier" will be heard again in the land. \*\*\*

Three brutal cases of wife beating were reported to the police on Saturday night within three hours, with booze featuring each case. It's about time to revive the talk for a whipping post. Some brutes can ery franchise and bribery in the last legislature? If week Nahiwa was returning home, only be affected through their hides.

\* \* \* \* \* \* For the second time we are getting the news of the Teuton advance in Greece. The first time it didn't happen. Perhaps the same correspondent is having another turn at the wire.

ernor Johnson's remarks about getting together in to press matters too far is "unclanged." To which wa will not fell, beyond the front and his bride is living in The only point, if any, that can be recommendation is required? For sale June with more joy if they knew exactly what he might be added the information that the American his supposed was really means about not making any more mistakes.

A Hawaiian Suggestion

VEN allowing for the panels of details in the COMMENTING upon the folly of continual report locally received regarding the latest Commenting within the Democratic party. men to federal offices, The Kuokoa for this week.

> At the same time The Kuokoa takes occasion to advise local Republicans that they too need to get together and to pay especial heed to the wishes of the voters in their plans for the coming cam-

"In an endeavor to settle the differences existkilling of American men, women and babies was not deliberately premeditated murder? And that is what Democracy met last Monday evening to discuss ways and means by which dissensions might be overcome and harmony prevail in the future. It is to be hoped that hereafter in place of all their petty jealousies and squabblings the Democrats will put the best interest of the Territory ahead of personal ambition.

"As a result of continual dissensions good local men have been denied the privilege of appointment to important offices, which they were capable of filling with credit and the patronage has gone to strangers who are not acquainted with local conditions.

"To the onlooker it has, nevertheless, been ineresting and a matter of surprise to note the number of local aspirants for political plums who had not hitherto been known to be party workers. Federal positions being in sight, they became exother local aspirants and the inevitable happened -all got left.

"It occurs to The Kucken that while the Democrats are busy with their dissensions it behooves admit that these hundred Americans were not "intentionally" picked out for slaughter.

Unless we greatly overrate the Americanism of
President Wilson, he will make it plain within the
next few days that he proposes neither to be made a
butt for coarse humor nor to allow the dignity of
the United States to be translated into an international joke.

The blockade of the German ports by the Britmind that the interests of the people are paramount and that the wishes of the voters must not be disregarded."

The torpedo which sunk the Lusitania was, in all probability, not aimed with the specific object of murdering Americans, but it was aimed with the specific object of destroying an unsuspecting liner, aboard which were known by the German commander to be Americans and with the foreknowledge that it would be a miracle if some of these Americans would not be killed.

The torpedo which sunk the Lusitania was, in all probability, not aimed with the specific object of inural derivation of indicate which the majority of the mainland newspapers once directed at the minds of some of the mainland newspapers once directed at the minds of some of the mainland newspapers once directed at the college at the present time, white exhibited a gleam of good sense by retiring from the cabinet, are now being winged in the direction of Josephus the Great, whose asininity is only slightly second to that of the erst while secretary slightly second to that of the erst while secretary slightly second to that of the erst while secretary slightly second to that of the erst while secretary slightly second to that of the erst while secretary slightly second to that of the erst while secretary slightly second to that of the erst while secretary slightly second to that of the erst while secretary slightly second to that of the erst while secretary slightly second to that of the erst while secretary slightly second to that of the erst while secretary slightly second to that of the erst while secretary slightly second to that of the erst while secretary slightly second to that of the erst while secretary slightly second to that of the ending sign, but no definite plan was arrived at. There is still doubt in the minds of some of the majority of the members of the college here was discussed again, but no definite plan was arrived at. There is still doubt in the minds of some of the of state. Secretary Daniels capped the climax of not be quite so bald as the limited press despatches to The Advertiser make it out to be, but at best, and his folly when he told Admiral Fiske that hencedespite the "official" view at Washington that "the forth he was not to explain even elemental naval

sibly be acceptable to Americans at large. We have The Advertiser had occasion, about a year ago, ignorance and the profundity of his egotism and pressure is commencing to be brought upon the President for Daniels removal.

> The New York Tribune is the latest to announce that "Daniels should go," a demand previously voiced by the New York Sun, The New York Herald, Colliers, the North American Review and other organs of weight. The Tribune says:

The publication of the confidential report of Rear Admiral Fletcher, commander in chief of the Atlantic Fleet, will serve two purposes. It will reveal exactly the situation that exists in the navy, and it will expain why Becretary Daniels is seeking to gag all navy officers.

What Admiral Fletcher has reported Bradley A. Fiske knew and called to Mr. Daniels' attention. Rear Admiral Knight performed the same service. Because Admiral Fiske has testified before congress to such conditions as Admiral Fletcher now reports he was sent away from Washington. He was sent into exile at Newport and he was forbidden to come to Washington, although his invalid wife was there. "You may not say that two and two make four."

Mr. Daniels said to Rear-Admiral Fiske. This is the spirit and the method of the present secretary of the navy. This is the treatment those who serve their country aml would serve their country must expect. Unquestionably steps will now be taken to disci-Ecar-Admiral Fletcher. He, too, has committed the unpardonable fault he also has told the truth. The Tribune joins its neighbor "The Sun" in the demand that Mr. Daniels be retired. He is at once A loke and a tragedy. Perhaps a President, lke sovereign, is entitled to a court fool, but certainly the nation is entitled to ask that the court fool be not placed in charge of its first line of defense.

There is only one thing to do for any section of the ity that sits tight and refuses to come in under the frontage tax law," and that is to leave it strictly alone, wallowing in its own mud. After its roads dergrowth, and finally disappeared? What's Bryan waiting for? For the cheers of the get so bad that people avoid the section and business get in the line of progress. There are some folks the police that he did not recognize upon whom argument is a waste of breath and rea- the young woman. son is extravagance.

> Wouldn't it be a good idea for some officials to look into the broad hints dropped regarding the brew- hunting Mollina down. One night last what really amount to charges are true, it should when he saw a suspicious figure garbed be important to have it known, while if they are not in overalls, a jacket and a white hat. true it is equally important that this be demonstrated. him.

\* \* \* \* \* Secretary Lansing reports that the diplomatic situ- in a gulch, but Nahiwa did not give written from the trenches on the battle-The G. O. P. leaders would probably accept Gov-

### BREVITIES

(From Chimlay Advartisce)

New accounting deaks were being installed in the office of the territorial auditor yeaterday. The furniture is uniform in design and apparently of a very desirable and perviceable make.

News was received here yesterday of the death in Wailuku, Mani, ou Wednesday of last week, of little Thelma, the baby daughter of Mr. and Mrs. George W. Wilbur. She was three months and twenty-five days old. The bedy was buried in Wailuku last Friday.

A Chimman, who was taken off the streets a few days ago in the last stages of taberculosis, died in the Leahi Home on Friday, being buried in the Loch View cametery. Paarl City yesterday. The man remained unconscious during his entire stay in Leahi Home and his name could not be learned. He was about thirty-five years old.

was about thirty-live years old.

Services for the late Kam Tet, who died last Friday, were held yesterday from the Townsend undertaking parlors, the interment taking place in the Pauon Chinese cemetery. The deceased, who lived in Vaikki for many years, was well known. He was a native of China and forty-eight years old. A widow, one son and one daughter, all of Honolulu, survive him.

of Honolulu, survive him.

The Diocesan branch of the Woman's Auxiliary to Missions will hold the quarterly meeting in St. Clement's parish house on Friday afternoon at three o'clock. Any new members of the W. A., or any strangers in Honolulu who may be interested in mission work, is invited to be present. At the close of the meeting tea will be served by the St. Clement's branch of the W. A.

First Class Sgt. Oscar Kaufer of the hospital corps, who left for the main-land in the transport Logan yesterday, is a booster for Hawaii, and in proof thereof has taken a quantity of litera-ture given him by the Promotion Com-mittee for distribution in northern Cali-fornia and Oregon. Severant Faufer fornia and Oregon, Sergeant Kaufer, on arrival at San Francisco begins a three months' furlough, which he will spend visiting friends in Oregon and northern California, where he resided many years before joining the army.

(From Tuesday Advertiser)

The skeleton of an unknown man was

at a meeting of the territorial affairs held yesterday morning, the matter of asking Congress to establish a naval college here was discussed again, but

Is Instantly Killed

By falling over the pali in Waimea gulch on Sunday, Mrs. Robert Smith, wife of the head lung of Pacific Sugar Mill at Kukuihaele, was killed.

She was out, horseback riding with a party of friends and in trying to pass one of her companions on the narrow trail her horse slipped and plunged with its rider down the steep etiff, a distance of about two hundred

In order to reach the body of the dead woman it was necessary for the members of the party to ride to Waidistance of several miles, and then to the head of the valley where the dead bodies of horse and rider were found. Both had been instantly

# Pretty Girl Mistaken FOR BIG ISLAND BANDI

She Leads National Guard Officer BERYL HUNTER-JONES a Strenuous Chase

Who is the pretty girl who in masculine attire led Lieut, Tom Nahiwa, N. G. H., of Kohala district, on the Big Island, a lively chase through the un-

Nahiwa is ar officer and a soldier, as well as being principal of the Maka-pala school, and is supposed to know everyone in Kohala, but be declares to

It all happened thusly. For some time past Kohala has been alarmed about the supposed presence of Franeisco Mollina, bad man in the district, granted her divorce in Honolulu. and a number of volunteers have been stealing through the gloom ahead of

Challenged, the figure ran with Na-

### PERSONALS

(From Saturday Advertiser) Prof. and Mrs. P. J. O'Gara of Sali Lake City were outgoing passengers the Great Northern last night.

Miss Mary Stambaugh, who recently resigned as instructoress in the Mills School of the Mid-Pacific Institute, Manoa Valley, left in the Great North-ern last night for the mainland.

Walter Kamaiopili, graduate of the Kamehameha Schools and son of Rev. Samuel K. Kamaiopili, assistant paster of the Kaumakapili Church, is now director of boys' work in the Y. M. C. A. of South Bend, Indiana. Attorney-General Stainback, who went to Hilo a few days ago to investigate the case in which Jose Villanueva was found guilty of murdering a young Hawaiian girl in Kehala, may return in the Mauna Kea today.

On a two months' vacation, Herbert Brewer, representative of the Hawaiian Sugar Planters' Association with the Honokah Plantation Company, in Ha-makus, Hawaii, was among the Great Northern departures for the mainland

C. Howard Cady, who has been with the Hawaiian Pincapple Company for three and one-half years, sailed for San Francisco in the Hill steamer Great Northern last night, accompanied by Mrs. Cady. He will be with the com-pany's San Francisco office.

Dr. Jeseph W. Mauck, president of Hillsdale College, Michigan, with Mrs. Mauch and daughter, are guests at the Pleasanton Hotel. Doctor Mauck formerly was president of the University of South Dakota. He has been prom-inent in banking and railroad circles and in middle west affairs for the last twenty years. (From Sunday Advertiser)

T. Vredenberg was an incoming past-enger in the Manna Kea yesterday from Kawaihae, Hawaii.

Mrs. A. Y. Young and child, Miss E. K. Lane and J. H. McKenzie were arvials yesterday from Mahukoun, Ha-Among the callers on the Governor

yesterday were Anthony Richley, Col. Charles J. McCarthy and Charles R.

Miss Jessie Moniz of Hilo, who arrived in the Mauna Kea yesterday, expects to spend some weeks here visiting relatives and friends. Among arrivals in the Mauna Kea resterday from Hilo were Mr. and Mes. H. J. Keler, Miss H. Johnson, Miss E.

G. Eynon and L. J. Warren. Mr. and Mrs. C. Howard Cady left in the Great Northern on Friday night for San Francisco. Mr. Cady, who was with the Honolulu office of the Hawaian Pincapple Company, has been transferred to the San Francisco office of

the same company. Y. Soga, editor of the Nippu Jiji,

(From Monday Advertiser) R. W. Filler, superintendent of the Hilo railway, has been operated upon for appendicitis. The operation was performed at the Hilo hospital last Saturday. The patient is reported to be doing well.

nanagement of the Lahaina National Bank, made vacant by the resignation of V. C. Schoenberg, F. N. Lufkin, a brother of C. D. Lufkin of the Wailuku National Bank, will arrive here in the Great Northern on February 21. Lufkin has been in the employ of the This will be his first visit to the Is

(From Tuesday Advertiser) Y, Soga, editor of the Nippu Jiji, who has been in Japan for some time,

A. K. Ozawa, a local attorney, who has visited in Japan, did not sail in the Chiyo Maru, as expected last Fri-

# **WEDS CANADA GUNNER**

Beryl Hunter-Jones, formerly a reporter on The Advertiser and well known in social circles of Honololu four years ago, is now Mrs. Lawrence V. M. Cosgrave. She was married to Captain Cosgrave of the Sixth Canadian Howitzer Brigade last month. The bride and bridegroom has known each other years ago, before Miss Hunter-Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku is freed from Jones was married the first time and deed alleged by Paakuku and at Wailuku and Maluo to Emma Lacha, lots Nos. 37 and Maluo to Emma Lacha, lots Nos. 32 and Jones Nos. 32 and Vicent Fernandes, Jones Nos. 23, Keonepokokiki, Puna, Hawali, Nellie Kama to David K. Kama, lot Nos. 23, Keonepokokiki, Puna, Hawali, Nellie Kama to David K. Kama, lot Nos. 23, Keonepokokiki, Nos. 24, Kama to David K. Kama to David K. Kama to David K. Kama to David K. Kam Jones was married the first time and every suspicion, and repeats the lan-granted her divorce in Honolulu. guage of the minute. On October 12 Just before Captain Cosgrave left it was decreed that the plaintiffs take daughter.

continued to correspond with the young the decree of October 12 was to woman. His proposal of marriage was miss the bill on the ground that the written from the trenches on the battle-plaintiffs had not the title alleged. It field of Festubert, and her acceptance therefore affirmed a judgement for the reached him there.

| General Morrison.



## NOW BOYS! Here's Where You Get Busy

Something to do after school hours that will bring

you good pocket-money. The Hawaiian Gazette Company wants a hustling representative in each community in the Islands to call on every family and find out whether or not

they are readers of this excellent semi-weekly news-

papernd and emilions should safe If they are not, they should and will be.

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THE HAWAIIAN GAZETTE CO., Ltd. aleg Bulle

P. O. BOX 208 HONOLULU, T. H.

## TEXT OF DECISION IN KEANOULU LAND CASE IS RECEIVED

The decision of the Supreme Court The decision of the Supreme Court of the United States in the matter of the adjudication of the title to the land of the ahupusa of Keanoulu, in Maui, has been received here. As the case created a deal of interest, especial last term, it would seem surprising to Forbes.

Among the arrivals from Maui yesterday in the Mauna Loa were Noa W. Aluli, Augustus H. Hanna, F. Dubois, R. M. Allen, Mrs. A. H. Hore and W. Burlem.

A. W. Seabury, who has had a month's confinement at his home with a month's confinement at his home.

ber, 1871, by the heirs of Kenka, whose forebear was Hawahewa, a close and powerful adviser and friend of Kame ameha the Conqueror. A year after the first suit was brought it was settled by the Supreme Court of the King-dom of Hawaii and the successors of

N AND HORSE

N AND land in dispute.

Decision By Justice Holmes

court, which was unanimous, was delivered by Mr. Justice Holmes, on Janu-Coming from Guatemala to take the The Advertiser at the time. The full the same classes of cases, in opinion of the court is here given:

undivided 29|36 of the ahupuna of Koanoulu, a large tract of land in the Island of Maui, Territory of Hawaii. The costs, . . . exceeds the sum of plaintiffs claim through the children five thousand dollars.' The present

"One of the defenses was res judi-

which left Yokohama last Friday.

Mr. and Mrs. H. P. Wood, who leave here Friday for a trip through the Orient, will, before settling down here again, make a trip to South America.

Vember, 1871, by the plainting prede to by appeal under the Act of April 7, essors against Paakuku and others, all 1874, c. 80, § 2, 18 Stat. 27. It is said that this has been the practice. See, wm. W. Bierce, Ltd. v. Hutchins, by joint possession on the part of the plaintiffs and of Paakuku as quasi-trustee; and waste, a wrongful sale that an appeal would lie was correct, and a wrongful lease by Paakuku. The | we are of opinion that the proceeding bill prayed for an account from Paa-kuku, that the sale and lease be or plain meaning of 1 246. So far as the day, but was detained by illness, according to cable advices received here plaintiffs, and that a partition be deher since the date of the same. It also a technical matter in the land to Paakuku in fee, subject to some merely personal and revocable rights in some of the plaintiffs,

The case was tried in the supreme court before the 'chief justice. On October 1, 1874, a minute was entered: 'The opinion of the court is that the Governor Pinkham, as follows: Abel petitioners have no title to the lands Maluo to Emma Lacha, lots Nos. 37 and Canada for the front in Flanders, a nothing by their bill. The supreme year or so ago, he called at the home court in the present case expressed the of Mrs. Hunter-Jones, the bride's opinion which, apart from the defermother, and renewed his suit of the ence due to it upon a local matter, does not require argument to support After he reached the trenches he it, that the intention and meaning of partition cannot be made a means of Ltd., agents for Hawaii.

trying a disputed title, Cark v. Roller 199 U. S. 541, 545, and that therefor the decree should be taken to be a dia-missal for want of jurisdiction, or at least allowed no greater effect than if it had gone on that ground, "But, as we cannot doubt the import

of the decree when rendered, we are narrowed in our inquiry to the ques-tion of jurisdiction in an accurate sense. Unless we are prepared to pro-nounce the decree void for want of power to pass it and open to collateral suggest that the highest court in the Hawaiian Islands did not know its own powers, or decide in accordance with the requirements of the law of which that court was the final mouthpiece.
John Il Estate v. Brown, 235 U. S. 342,
349. The plaintiffs in the former care
in no way protested against the trial of their title, but on the contrary sought relief distinct from partition, that made the trial necessary. Even if we were disposed to go behind the decisions of the chief justice of the dom of Hawaii and the successors of the hing dom and of the highest court of the plaintiffs at that time started suit again on technicalities thought to have been overlooked in former trials of the hold the adjudication of title void becase. five years in Mani and this circuit and finally went to the supreme court of the Territory, where the defendants were sustained in their contentions.

The plaintiffs in the suit were Henry C. Hapai, register of public accounts.

are not at liberty to disregard. Decision By Justice Holmes case is brought up by appeal. By § 246
The decision of the federal supreme of the Judicial Code of March 3, 1911, e. 231, 36 Stat. 1087, writs of error and appeals from the final judgements and ary 10, and a despatch to the effect decrees of the Supreme Court of Hathat the case had been decided in fa- waii may be taken 'in the same mauvor of the defendants was published in | ner, under the same regulations, and in they may be taken from the final "This is a bill to quiet title to an judgements and decrees of the court of a State, 'and also in all cases wherein

exceeds the sum of of one Keaka other than one daughter, suit comes here under the last clause, United Fruit Company in the Central Paakuku, through whom the defendate the trial a jury was waived, and American country for several years. ants claim the whole tract. visions of the section do not govern cata. The proceeding relied upon as this clause but that, except when there having decided the relative rights of is a trial by jury, the cases there mentice parties was a bill brought in Notioned must be brought to this court vember, 1871, by the plaintins' prede by appeal under the Act of April 7, creed. Paakuku's answer set up a con Stat, 956,) we should be disposed to be veyance of the premises by Keaka to a little astute to save a party's rights her in fee and continuous possession by from being lost through mistakes upon alleged that Keaka's will, if not over- confused condition of the statutes. But riden by the subsequent deed, devised we cannot doubt that the path adopted was right. Judgement affirmed. !!

**GOVERNOR SIGNS TRANSFERS** 

Four transfers of government land holdings were approved yesterday in

### MAUI STABLES LEASED

J. C. Foss, Jr., a contractor of Wai-luku, Mani, has leased the Maui stables for five years, for four thousand dollars for the lease. He has purchased all of the horses, wagons, drays and other equipment, for \$1000.

### A PORTY YEARS' TEST.

Chamberlain's Cough Remedy has been curing coughs and colds for the defendants holding that the plaintiffs past forty years and has gained in London with Mrs. Morrison, wife of argued, is that in general a bill for by all dealers. Benson, Smith & Co.,